

07 CRIM 1122

CR 97 20002

No. _____

UNITED STATES DISTRICT COURT

NORTHERN District of CALIFORNIA

CRIMINAL Division

THE UNITED STATES OF AMERICA

vs.

HOA DUC NGUYEN

I hereby certify that the annexed
document is a true and correct
copy of the original filed in my
office. WITNESSED:
RICHARD W. WIEKING
Clerk, U.S. District Court
Northern District of California
By: *[Signature]*
Deputy Clerk

NOV 20 2007

INDICTMENT

18 U.S.C. § 3146 -- FAILURE TO APPEAR

A true bill.

Charles W. McIntyre

Foreman

Filed in open court this 7th day.

of Jan A.D. 19 97

[Signature] BRENDA TOLBERT
Clerk

Bail \$

No Bail arrest warrant

[Signature] MARIA-ELENA JAMES

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #
DATE FILED DEC 07 2007

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United States Attorney

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Attorneys for Plaintiff

FILED

JAN 07 1997

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT,
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
HOA DUC NGUYEN,)
)
Defendant.)

NO.

VIOLATIONS:

Title 18, United States Code, Section
3146 -- FAILURE TO APPEAR

(SAN JOSE VENUE)

CR 97 20002

RMW

I N D I C T M E N T

COUNT ONE: (18 U.S.C. § 3146)

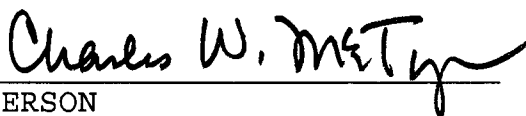
The Grand Jury charges:

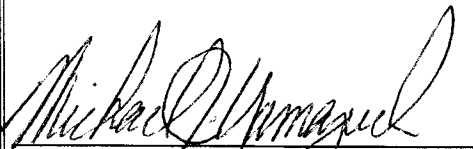
1. On or about May 16, 1996, in the City of San Jose,
County of Santa Clara, State and Northern District of California and
elsewhere,

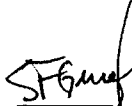
HOA DUC NGUYEN,

defendant herein, did knowingly fail to appear in the United States District Court before the Honorable Patricia V. Trumbull, United States Magistrate-Judge, for a hearing regarding the conditions of his pretrial release in criminal case CR 95-20075-RMW, Northern District of California, in violation of Title 18, United States Code, Section 3146.

Dated: January __, 1997. A TRUE BILL


FOREPERSON


MICHAEL J. YAMAGUCHI
United States Attorney

(Approved as to Form: 
AUSA Steven F. Gruel

CLOSED, ICMS

**U.S. District Court
California Northern District (San Jose)
CRIMINAL DOCKET FOR CASE #: 5:97-cr-20002-RMW All Defendants
Internal Use Only**

Case title: USA v. Nguyen

Date Filed: 01/07/1997

Date Terminated: 11/20/2007

Assigned to: Hon. Ronald M. Whyte

Defendant**Hoa Duc Nguyen (1)***TERMINATED: 11/20/2007***Pending Counts**

None

Highest Offense Level (Opening)

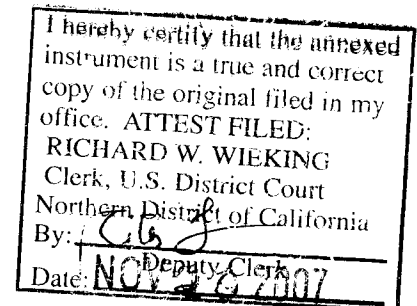
None

Terminated Counts18:3146A.F FAILURE TO APPEAR
(1)**Highest Offense Level (Terminated)**

Felony

Complaints

None

Disposition**Disposition**Consent to Transfer of Case for Plea
and Sentence (Under Rule 20)**Disposition****Plaintiff****USA**

represented by **Steven F. Gruel**
U.S. Attorney's Office
450 Golden Gate Avenue
P.O. Box 36055
San Francisco, CA 94102
(415)436-7200
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/07/1997	1	INDICTMENT by AUSA Steven F. Gruel. Counts filed against Hoa Duc Nguyen (1) count(s) 1 (cgb, COURT STAFF) (Entered: 01/13/1997)
01/07/1997		Bench Warrant issued for Hoa Duc Nguyen by Mag. Judge Maria-Elena James Bail Set: No Bail (cgb, COURT STAFF) (Entered: 05/29/2003)
11/25/2003	2	ORDER by Judge Ronald M. Whyte of reassignment to executive committee as to defendant Hoa Duc Nguyen (cfe, COURT STAFF) (Entered: 12/27/2004)
12/27/2004		(Court only) docket#2 was found on the shelf, undocketed as to defendant Hoa Duc Nguyen (cfe, COURT STAFF) (Entered: 12/27/2004)
11/20/2007	●	Judge update in case as to Hoa Duc Nguyen. Judge Ronald M. Whyte added. Judge Executive Committee no longer assigned to case. (Entered: 11/20/2007)
11/20/2007	●3	CONSENT TO TRANSFER JURISDICTION (Rule 20) to Southern District of New York Counts closed as to Hoa Duc Nguyen (1) Count 1. (cfe, Court Staff) (Filed on 11/20/2007) (Entered: 11/20/2007)
11/20/2007	●	Mailed Rule 20 Transfer documents to Southern District of New York, New York as to Hoa Duc Nguyen: (cfe, Court Staff) (Filed on 11/20/2007) (Entered: 11/20/2007)
11/20/2007	●	(Court only) ***Case Terminated as to Hoa Duc Nguyen (Entered: 11/20/2007)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION IN U.S. DISTRICT COURT

BY ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT

OFFENSE CHARGED

18 U.S.C. § 3146 -- FAILURE TO APPEAR

- ☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

PENALTY: 5 years/\$250,000 fine/\$50 special assessment/3 years supervised release

Name of District Court, and/or Judge/Magistrate Location (City)

NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT -- U.S. vs.

HOA DUC NGUYEN

DISTRICT COURT

FILED
JAN 07 1997
RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

CR 97 7000

RMW

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FEDERAL BUREAU OF INVESTIGATION

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. Att'y ☐ Defense

SHOW
DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

MAGISTRATE
CASE NO.

Name and Office of Person
Furnishing Information on
THIS FORM

MICHAEL J. YAMAGUCHI

☒ U.S. Att'y ☐ Other U.S. Agency

Name of Asst. U.S. Att'y
(if assigned)

STEVEN F. GRUEL

DEFENDANT**IS NOT IN CUSTODY**

- 1) ☒ Has not been arrested, pending outcome this proceeding
 If not detained give date any prior summons was served on above charges _____
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District) _____

IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction } ☐ Fed'l ☐ State
- 6) ☐ Awaiting trial on other charges
 If answer to (6) is "Yes", show name of institution _____

Has detainer
been filed?

☐ Yes
☐ No

If "Yes"
give date
filed

Mo. Day Year

DATE OF
ARREST

Or... if Arresting Agency & Warrant were not Federal

DATE TRANSFERRED
TO U.S. CUSTODY

Mo. Day Year

☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS _____

BAIL (AMT). No Bail Arrest Warrant

NO PROCESS* _____

*WHERE DEFENDANT PREVIOUSLY APPREHENDED ON COMPLAINT, NO NEW SUMMONS OR WARRANT NEEDED, SINCE MAGISTRATE HAS SCHEDULED ARRAIGNMENT